

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

STREEKSTRA et al

Atty. Ref.: 4662-367; Confirmation No. 3538

Appl. No. 10/518,949

TC/A.U. 1657

Filed: December 17, 2004

Examiner: Lilling

For: PREPARATION OF MICROBIAL OIL

* * * * *

June 13, 2008

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PETITION FOR WITHDRAWAL OF NOTICE OF ABANDONMENT PURSUANT TO
MPEP § 711.03(c) (I.)(B.)**

Withdrawal of the Notice of Abandonment dated June 3, 2008, is requested.

The Notice of Abandonment dated June 3, 2008 asserts that the above-identified application has become abandoned for the applicant's alleged failure to timely file a proper reply to the Office letter mailed on November 29, 2008.

A Notice of Appeal was filed on May 29, 2008, along with an Amendment After Final Rejection.

A copy of the Electronic Patent Application Fee Transmittal and Electronic Acknowledgement Receipt from the filing on May 29, 2008, retrieved from the PTO IFW are reproduced below as evidence of receipt by the Patent Office of the requisite papers:

STREEKSTRA et al
 Appl. No. 10/518,949
 Atty. Ref.: 4662-367
 June 13, 2008

PETITION FOR WITHDRAWAL OF NOTICE OF ABANDONMENT PURSUANT TO
 MPEP § 711.03(c) (I.)(B.)

Electronic Acknowledgement Receipt	
EFS ID:	3373387
Application Number:	10518949
International Application Number:	
Confirmation Number:	3538
Title of Invention:	Preparation of microbial oil
First Named Inventor/Applicant Name:	Hugo Streekstra
Customer Number:	23117
Filer:	B. J. Sadoff/Pacheco Phommachanh
Filer Authorized By:	B. J. Sadoff
Attorney Docket Number:	BJS-4662-367
Receipt Date:	29-MAY-2008
Filing Date:	17-DEC-2004
Time Stamp:	13:45:30
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$2310
RAM confirmation Number	8780
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /zip	Pages (if appl.)
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MPEP § 711.03(c) (I.)(B.)

Electronic Patent Application Fee Transmittal				
Application Number:		10518949		
Filing Date:		17-Dec-2004		
Title of Invention:		Preparation of microbial oil		
First Named Inventor/Applicant Name:		Hugo Streekstra		
Filer:		B. J. Sadoff/Pachack Phosmecharsh		
Attorney Docket Number:		BJS-4662-367		
Filed as Large Entity				
U.S. National Stage under 35 USC 371 Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Claims in excess of 20	1615	15	50	750
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Notice of appeal	1401	1	510	510
Post-Allowance-and-Post-Issuance:				

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MPEP § 711.03(c) (I.)(B.)

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Extension - 3 months with \$0 paid	1253	1	1050	1050
Miscellaneous:				
Total in USD (\$)				2310

The following partial copy of the PTO IFW index is further evidence that the
Amendment and Notice of Appeal were received May 29, 2008:

STREEKSTRA et al
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Mail Room Date	Document Code	Document Description	Document Category	Page Count
06-03-2008	ABN	Abandonment	PROSECUTION	2
06-03-2008	ABN	Abandonment	PROSECUTION	1
05-23-2008	A/E	Amendment After Final	PROSECUTION	1
05-23-2008	CLM	Claims	PROSECUTION	5
05-23-2008	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	5
05-23-2008	WFEE	Fee Worksheet (PTO-05)	PROSECUTION	2
05-23-2008	N417	EFS Acknowledgment Receipt	PROSECUTION	3
05-23-2008	NAP	Notice of Appeal Filed	PROSECUTION	1
05-23-2008	XT	Extension of Time	PROSECUTION	1
11-25-2007	CTFR	Final Rejection	PROSECUTION	7
11-25-2007	BIB	Bibliographic Data Sheet	PROSECUTION	1
11-25-2007	FVCLM	Index of Claims	PROSECUTION	1
11-25-2007	SRFW	Search information including classification, databases and other search related notes	PROSECUTION	1
11-25-2007	SRNT	Examiner's search strategy and results	PROSECUTION	1
10-23-2007	A...	Amendment - After Non-Final Rejection	PROSECUTION	1
10-23-2007	CLM	Claims	PROSECUTION	3
10-23-2007	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	10
10-23-2007	XT	Extension of Time	PROSECUTION	1
10-23-2007	WFEE	Fee Worksheet (PTO-05)	PROSECUTION	1
04-30-2007	CTNF	Non-Final Rejection	PROSECUTION	7
04-30-2007	1443	List of References cited by applicant and considered by examiner	PRIOR ART	1
04-30-2007	892	List of references cited by examiner	PRIOR ART	1
04-30-2007	SRFW	Search information including classification, databases and other search related notes	PROSECUTION	1
04-30-2007	BIB	Bibliographic Data Sheet	PROSECUTION	1
04-30-2007	FVCLM	Index of Claims	PROSECUTION	1
04-23-2007	SRNT	Examiner's search strategy and results	PROSECUTION	1
03-22-2007	ELC	Response to Election / Restriction Filed	PROSECUTION	2
03-22-2007	CLM	Claims	PROSECUTION	5
03-22-2007	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	3
03-22-2007	WFEE	Fee Worksheet (PTO-05)	PROSECUTION	1
02-22-2007	CTRS	Requirement for Restriction/Election	PROSECUTION	11
02-22-2007	FVCLM	Index of Claims	PROSECUTION	1
02-22-2007	BIB	Bibliographic Data Sheet	PROSECUTION	1
02-22-2007	SRFW	Search information including classification, databases and other search related notes	PROSECUTION	1
02-13-2007	PETDEC	Petition Decision	PROSECUTION	1
02-07-2007	H570	Communication - Pet: Power of Attorney (PTOL-305)	PROSECUTION	2
02-07-2007	BIB	Bibliographic Data Sheet	PROSECUTION	1
10-23-2006	PA...	Power of Attorney	PROSECUTION	2
08-30-2006	PET.OP	Petition for review by the Office of Petitions	PROSECUTION	3

Withdrawal of the Notice of Abandonment is requested along with a written Notice of same to the undersigned and a further Action on the Amendment of May 29, 2008 without further delay.

As the Patent Office IFW contains a copy of the previously-filed papers, a further copy of same and/or a statement pursuant to 37 CFR 1.8(b)(3) are not believed to be required. The Office is requested to advise the undersigned if otherwise however.

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The Office is requested to contact the undersigned if anything further is required.

Respectfully submitted,

NIXON & VANDERHYE P.C.

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